

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:12CV171

JEFFREY J. TOBOL,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
CAROLYN W. COLVIN,	)	
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

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This matter is before the Court upon the memorandum and recommendation of United States Magistrate David C. Keesler, filed September 4, 2013. The parties were advised that pursuant to 28 U.S.C. § 636(b)(1)(C), written objections to the memorandum and recommendation must be filed within 14 days after service of the memorandum. Plaintiff timely filed an objection.

After an independent and thorough review of the magistrate's memorandum, Plaintiffs' objections thereto, and a de novo review of the record, the Court concludes that the recommendation to deny the Plaintiff's Motion for Judgment on the Pleadings and grant the Defendant's Motion for Summary Judgment is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are accepted, and Plaintiff's Motion for Judgment on the Pleadings is DENIED and the Defendant's Motion for Summary Judgment is GRANTED.

IT IS THEREFORE ORDERED that the memorandum and recommendation of the magistrate is hereby AFFIRMED.

Signed: September 19, 2013

Graham C. Mullen

Graham C. Mullen  
United States District Judge

